IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY
WRIT PETITION NO : 19545 of 1994

Between:

1 Lalam Satyanarayana, s/o Nooka Raju,
R/o Vennelapalem, Nathavaram (M),
Visakhapatnam Dist.
2 Lalam Nukaiah Naidu, s/o Nooka Raju,
R/o Vennelapalem, Nathavaram (M),
Visakhapatnam Dist.
3 Lalam Yerrayamma, W/o Nooka Raju,
R/o Vennelapalem, Nathavaram (M),
Visakhapatnam Dist.
4 Gampa Ramulu, S/o Ramulu,
R/o Vennelapalem, Nathavaram (M),
Visakhapatnam Dist.

..... PETITIONERS

AND

1 The Lands Reorms Tribunal, Rep by Revenue Divisional Officer
Narsipatnam, Visakhapatnam Dist.
2 The Mandal Revenue Officer
Nathavaram (M), Nathavaram ,
Visakhapatnam Dist.
3 Yedidha Krishna Murthy, S/o Sanyasi Raju,
R/o Tallarevu (V) & (M), East Godavari Dist.
(RR3 dismissed for default vide Court order)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 2nd respondent in seeking eviction of the petitioner from Ac.7.4 cents in Sy.No.19/6 & 19/7 and AC.3-18 cents in Sy.No.19/3 & 19/4 and Ac.2-96 cents in Sy.No.19/2 of srungavaram (v), Nathavaram (M). Visakhapatnam Dist pending the objection petition dt:12-9-94 filed

before the 1st respondent as illegal unjust and consequently direct the respondents not to dispossess the petitioners pending disposal of the petition Dt:12-9-94 before the 1st respondent.

Counsel for the Petitioners:MR.P.SRIDHAR REDDY

Counsel for the Respondent Nos. 1 and 2: G.P. for Revenue

The Court Made the Following O R D E R:

That even according to the averments made in the counter affidavit filed by the respondents, the petitioners have made their objections to the notice published in Form-VIII and those objections are yet to be considered by the competent authority. It is clearly stated that the objections filed by the petitioners are pending before the Land Reforms Tribunal and without considering those objections and without passing orders, the question of eviction of petitioners from the land in question does not arise.

In view of the clear and categorical admissions made in the counter affidavit, it is to be held that the petitioners cannot be evicted from the lands in question until their objections have been considered and a speaking order is passed by the Land Reforms Tribunal in accordance with law.

In the circumstances, this Writ Petition is disposed of directing the respondents to consider and dispose of the objections already preferred by the petitioners in accordance with law after providing them a reasonable opportunity of being heard in the matter and until such a decision is taken and communicated to the petitioners, there shall be no dispossession of the petitioners from the lands in question.

The Writ Petition is accordingly disposed of. No order as to

costs.

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B.SUDERSHAN REDDY, J

01-07-2004.

MJL/*

To

1 The Lands Reforms Tribunal, Rep by Revenue Divisional Officer
Narsipatnam, Visakhapatnam Dist.
2 The Mandal Revenue Officer
Nathavaram (M), Nathavaram ,
Visakhapatnam Dist.
3. 2 CCs to the G.P. for Revenue, High Court of A.P. Hyderabad (OUT)
4. 2 CD copies